

Appl. No. 10/620,001
Restriction Requirement mailed June 14, 2005
Response transmitted June 30, 2005

Applicant Docket 9046/23

REMARKS/ARGUMENTS

1. Claim 1-37 are pending in the Application. The Office Action requires a restriction as between two Groups of claims, the claims directed to a product and a process of using the product. Group I is directed to an inertia switch and includes Claims 1-8, 12-18, 22-26, and 28-33. Group II is drawn to a method of using a flashing light system, and includes Claims 9-11, 19-21, 27, and 34-37. Applicants traverse the restriction requirement and elect Group I.

2. The restriction requirement may be overcome if Applicants can show that the suggested alternative use cannot be accomplished. The alternative use suggested in the Office Action for using the product as claimed is "mounting a decorative bell." Applicants presume the Examiner intends to use an inertia switch to activate a bell, such as by mounting an inertia switch between the clapper and the housing of the bell. An inertia switch in this example is superfluous. Motion, such as that provided by a hand of the user, is required to activate the inertia switch, and the same motion would be required to ring the bell. Thus, the inertia switch is not needed and its use in the proposed process is superfluous.

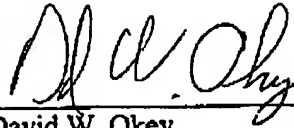
The Office Action offers no other example. Thus, the Office Action fails to give an example of a materially different process, and the restriction requirement is overcome.

3. The Office Action has failed to document that the claimed inertia switch may be used in a materially different process; Applicants have shown that the suggested alternative use for the product is superfluous. Accordingly, the restriction requirement is overcome, since the Office Action fails to show that the process of using can be practiced with another materially different product, or that the product can be used in a materially different process. Applicants respectfully request the Examiner to withdraw the restriction requirement and to advance Claims 1-37 to examination.

Appl. No. 10/620,001
Restriction Requirement mailed June 14, 2005
Response transmitted June 30, 2005

Applicant Docket 9046/23

Respectfully submitted,

 June 30, 2005
David W. Okey
Registration No. 42,959
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200